

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jonathan Lee Riches,)	
)	C/A No. 6:07-4135-MBS
Plaintiff,)	
)	
vs.)	O R D E R
)	
Thomas Friedman, d/b/a New York Times)	
Columnist,)	
)	
Defendant.)	
_____)	

Plaintiff Jonathan Lee Riches is an inmate in custody of the Bureau of Prisons who currently is housed at FCI-Williamsburg in Salter's, South Carolina. On December 26, 2007, Plaintiff, proceeding pro se, filed the within complaint pursuant to 42 U.S.C. § 1983, alleging "civil rights violations."

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge William M. Catoe for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to 28 U.S.C. §§ 1915, 1915A, and the Prison Litigation Reform Act of 1996. On January 30, 2008, the Magistrate Judge issued a Report and Recommendation in which he recommended that the within action be dismissed for failure to state a claim upon which relief may be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C.

§ 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report and Recommendation and incorporates it herein by reference. The within action shall be deemed a “strike” for purposes of the “three strikes” rule of 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

February 28, 2008

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.